IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 585 OF 2003

EXECUTIVE ENGINEER AND 2 ORS., ...Applicants

Versus

SHRI SUBHASH V. TILVE, PONDA-GOA. ....Respondents

SHRI P.A. KAMAT,G.A,SHRI P.A. KHOLKAR

Coram:- A.M.KHANWILKAR, J.

Date:- 12th December, 2003

P.C.:

Heard both sides. This is an application for condonation of delay of 374 days, in filing of the First appeal. It is stated in the application that in fact the applicants had preferred review proceedings before the same Court and after culmination of those proceedings, have now approached this Court by way of First appeal. Although the learned Counsel for the respondent contends that the cause made out in the application is not a sufficient cause, to my mind,it is not possible to accept that submission. On the other hand, since the applicants had preferred review before the same Court and which remedy was available to them in law, it is not possible to say that the delay is either intentional or deliberate, for which the cause as made out, to my mind, is

sufficient cause. Hence the application is granted. Appeal be registered and posted for admission next week.

A.M.KHANWILKAR, J.